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DATE: July 14, 2006

TOTAL NUMBER OF PAGES (INCLUDING COVER SHEET): 3

TO: Examiner: Brian E. Pellegrino; Group Art Unit: 3738  
United States Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: Beth A. Vrioni, Senior Counsel  
Patent and Trademark Department  
D-0377, AP6A-1  
Telephone: (847) 938-7576

**MESSAGE:**

Applicants: Marino, et al.  
Serial No.: 10/698,966  
Filed: October 31, 2003  
Title: SPINAL DISC IMPLANT  
Case No.: 5259-11100US01

Enclosed herewith for the patent application identified above entitled SPINAL DISC IMPLANT is the following:

1. Response to Restriction Response (1 Page) in duplicate

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NO. 8738 P. 2

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Marino *et al.*

Serial No.: 10/698,966

Filed: October 31, 2003

For: SPINAL DISC IMPLANT

Attorney Docket No.: 5259-1110 D. U.S. 01

Examiner: Brian E. Pellegrino

Group Art Unit: 3738

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MS Amendment  
Commissioner for Patents  
Attn: Examiner Brian E. Pellegrino  
P.O. Box 1450  
Alexandria, VA 22313-1450

Recipient Telefax Number: (571) 273-8300

Karen R. Smith 7-14-06  
Karen R. Smith Date

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The following is in response to the Restriction Requirement mailed March 14, 2006 in the above-identified application. Applicants hereby elect the invention of Specie I (Figures 1-3) and Specie G (Figures 16, 17) for examination purposes, which include claims 1, 2, and 7-13.

Applicants reserve the right to file a divisional application on all non-elected subject matter of the instant application.

Respectfully submitted,  
Marino *et al.*

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Beth A. Vrioni  
Beth A. Vrioni, Registration No. 39,869  
Attorney for Applicants

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NO. 8738 P. 3

JUL 14 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Marino *et al.*

Serial No.: 10/698,966

Filed: October 31, 2003

For: SPINAL DISC IMPLANT

Attorney Docket No.: 5259-1110 D.U.S. 01

Examiner: Brian E. Pellegrino

Group Art Unit: 3738

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